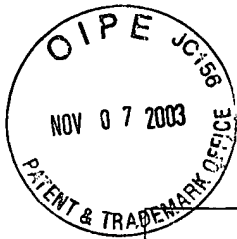


PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that on Nov. 5, 2003, which is the date I am signing this certificate, I am depositing this correspondence the United States Postal Service, first class mail, in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231

Jessica Brown
Jessica Brown

Applicant: YAMASHIRO, Stanley M.

Serial No.: 10/664,549

Filed: September 19, 2003

Title: VENTILATION AND VOLUME
CHANGE MEASUREMENTS USING
PERMANENT MAGNET AND MAGNET
SENSOR AFFIXED TO BODY

Atty. Docket No. 64693-078

Examiner: Not known

Group Art Unit: Not known

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56

Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, Applicant brings the references listed on the attached Form PTO-1449 to the examiner's attention. 37 C.F.R. § 1.56. These references may be material to examination of the above-identified application. Please do not construe the filing of this information disclosure statement as a representation that applicant has made a search (37 C.F.R. § 1.97(g)), or as an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. We enclose copies of any cited documents that are not U.S. patents.

This Information Disclosure Statement is being submitted:

- ☒ 1. Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office action on the merits, and therefore, Applicant believes no fee is required;
- ☐ 2. After the period specified in paragraph (1) hereinabove of this section, but is being filed before the mailing date of either a final action under 37 CFR 1.113, or a notice of

allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and is accompanied by one of the following:

- ☐ (a) A statement that either:
- (i) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;
- OR
- (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement;

OR

- ☐ (b) The fee of \$180 for filing of an Information Disclosure Statement as set forth in 37 C.F.R. 1.17(p).
- ☐ 3. After the period specified in paragraph (2) of this section, but is filed on or before payment of the issue fee and is accompanied by both:
- ☐ (a) A statement that either:
- (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;
- OR
- (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement;
- ☐ (b) The fee of \$180.00 for filing of an Information Disclosure Statement as set forth in 37 CFR 1.17(p).

Applicant would appreciate the Examiner initialing and signing a copy of Form PTO-1449, transmitted herewith, indicating that the information has been considered and made of record herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the

cost of such petitions and/or other fees due in connection with the filing of this document to

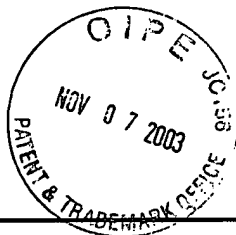
Deposit Account No. 501946 referencing order number 64693-078-6806.

November 5, 2003



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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/644,549
				Filing Date	September 19, 2003
				First Named Inventor	YAMASHIRO, Stanley M.
				Art Unit	Unknown
				Examiner Name	Unknown
Sheet	1	of	1	Attorney Docket Number	64693-078

U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. ¹	Document Number	Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number -Kind Code ² (if known)		
	1	US-3,658,052	04-25-1972	ALTER (American Electronic Laboratories, Inc., Assignee)
	2	US-4,267,845	05-19-1981	ROBERTSON, JR. et al.
	3	US-4,595,196	06-17-1986	MUCHISKY et al.
	4	US-4,738,264	04-19-1988	ORLANDO
	5	US-5,069,221	12-03-1991	SMITH et al. (Densa Limited, Assignee)
	6	US-5,107,885	04-28-1992	HARRINGTON et al. (RKR Corporation, Assignee)
	7	US-5,295,490	03-22-1994	DODAKIAN
	8	US-5,825,293	10-20-1998	AHMED et al.
	9	US-6,261,238	07-17-2001	GAVRIELY (Karmel Medical Acoustic Technologies, Ltd., Assignee)
	10	US-6,480,111B2	11-12-2002	CANADY et al. (Southwest Research Institute, Assignee)

OTHER PRIOR ART – NONPATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language translation is attached.